

Marriage Settlement among Minority Moslem by *Datok Imam Masjid* in South Thailand

Umi Supraptiningsih

(Faculty of Syariah Institut Agama Islam Negeri Madura, Jl. Raya Panglegur, Km.
04 Tlanakan Pamekasan 69371, Email: umistainpamekasan@gmail.com)

Khoirul Bariyyah

(Faculty of Syariah Institut Agama Islam Negeri Madura, Jl. Raya Panglegur, Km.
04 Tlanakan Pamekasan 69371, Email: umistainpamekasan@gmail.com)

Abstract:

Thailand is a Moslem minority country with most of Moslem community centered at the plateau of its South area. As the minority, they can not perform sharia laws formally under official acknowledgment. Therefore, in dealing with any law practice, particularly marriage settlement, they rely on the rules of *fiqh* school followed by each local *Datok Imam Masjid*. The *Datok* himself exists in every village even subvillage and is a delegation from the Committee of Islam at Province serving to deal with any religious affairs. However, The Committee does not arrange particular rules in the marriage settlement so the practice is fully guided and handled by the *Datok*. On the basis of that, this research would like to use a qualitative approach through descriptive method. It is found that the principles and requirements of marriage settlement are in line with common Islamic laws as stated in the Qur'an and hadith. Most of the *Datok* in the South Thailand serving as *penghulu* (staffs of marriage settlement) affiliate to Shafi'i school. However, as each *datok* has different views and beliefs on certain issues, the rules become too flexible such as in the matter of minimum age for the brides and bridegrooms or the existence of *wali* (Islamic guardian mainly from family line) as the marriage requirement. Additionally, the marriage settlement with a newly converted Moslem and "free" polygamy also become big issues as there found no exact rule governing all the details. The settlement is also often hard to hold due to the expensive request of *mahr* (dowry) which cause the high number of eloping cases as the consequence.

Keywords:

Islamic Law; Marriage Settlement; South Thailand Moslem

Abstrak:

Minoritas Muslim di Thailand Selatan Dataran Tinggi merupakan wilayah yang tidak mendapat kesempatan untuk melaksanakan hukum syari'ah secara resmi yang dapat diakui oleh negara. Oleh karenanya, pelaksanaan pernikahan bagi minoritas Muslim di Thailand Selatan ini masih menggunakan peraturan sesuai dengan mazhab masing-masing yang diurus oleh Datok Imam Masjid di setiap kampung. Datok Imam Masjid tersebut merupakan utusan dari Komite Islam Provinsiyang berwenang mengurus segala bentuk urusan keagamaan khususnya Islam. Walaupun begitu, Komite Islam di Thailand tidak memiliki aturan yang pasti tentang pelaksanaan perikahan sehingga aturan dari pelaksanaan pernikahan tersebut diserahkan sepenuhnya kepada Datok Imam Masjid. Berdasarkan hal tersebut, maka tujuan dari penelitian ini adalah untuk mengetahui bagaimana pelaksanaan pernikahan bagi minoritas Muslim di Thailand Selatan dan kajian hukum Islam tentang pelaksanaan pernikahan tersebut. Penelitian ini menggunakan pendekatan kualitatif dengan jenis deskriptif. Dari hasil penelitian didapatkan bahwa, rukun dalam pelaksanaan pernikahan sudah sesuai dengan hukum Islam. Pada umumnya Datok Imam Masjid di Thailand Selatan yang menjadi juru nikah menggunakan mazhab Syafi'i, namun adanya perbedaan pengetahuan agama pada setiap Datok Imam Masjid menyebabkan longgarnya aturan-aturan yang digunakan dalam pelaksanaan pernikahan, seperti halnya syarat usia calon mempelai dan penggunaan wali hakim dalam pernikahan, pernikahan dengan muallaf tanpa adanya perhatian khusus serta maraknya pernikahan poligami tanpa adanya batasan-batasan tertentu. Selain itu, pelaksanaan pernikahan seringkali terhambat oleh adanya permintaan jumlah mahar yang tinggi dari pihak perempuan yang menyebabkan banyaknya kasus kawin lari.

Kata Kunci:

Hukum Islam; Pernikahan; Muslim Thailand Selatan

Introduction

Marriage is a commitment to establish a legal relationship between a man and a woman for living together in a family, continuing offspring, preventing adultery, and keeping peaceful

condition in a society.¹ In this context, marriage settlement causes a legal relationship between man and woman as well as their relation with community, state, and also God. Religions urges marriage as it aims to create a prosperous world by preserving human offspring. Therefore, Allah gives the rules of marriage settlement the Qur'an and hadith.

Marriage is one of the *sunnah* practices of Prophet Muhammad SAW for all Moslems around the world, including any Moslem minority. Among others, a marriage aims to prevent adultery and therefore, its settlement needs to fulfill the principles and requirements as stipulated by Allah SWT. This becomes important because any lack of its principles and requirements will cause the marriage invalid.

Islam has been widespread all over the world since a few centuries ago. In general, Moslem communities in various countries can be divided categorized as follow; *First* is Moslem communities living in Islamic states such as in Saudi Arabia, Iran, and Pakistan. *Second* is Moslem communities living in non-Islamic states but being majority of its population, such as in Egypt, Turkey, and Indonesia. *Third* is Moslem communities living in non-Islamic states and being the minority, such as in Thailand, Philipine, and some European and African countries.²

The term 'minority' refers to the community with different characteristics with the common society or the majority in a certain area or country.³ The differences involve language, culture, ethnic, religion, and other basic diversities which distinguish one and another. Thailand, in this context, is one of non-Islamic states with Buddhist as the majority. Moslems become one of minority groups with about 4 % of its total population.⁴

Islam came to Thailand through Pattani and was brought by Arab traders who came to Malay for business. Initially, Islam was a

¹ Abd. Shomad, *Hukum Islam: Penormaan Prinsip Syariah dalam Hukum Indonesia* (Jakarta: Kencana, 2010), 274.

² Cik Hasan Basri, *Peradilan Agama* (Jakarta: Raja Grafindo Persada, 1998), 19.

³ Yusuf Qardhawi, *Fiqh Minoriti*, trans. Muhammad Hanif Hasan (Kuala Lumpur: SH. Noordeen, 2002), 5.

⁴ M. Ali Kettani, *Minoritas Muslim di Dunia Dewasa Ini*, transl. Zarkowi Soejoeti, (Jakarta: Pt. Raja Grafindo Persada, 2005), 200.

dominant religion among Pattani's society (Al-Fathoni, now becoming part of South Thailand) as also indicated by the change of kingdom style. It was the Nobels and the King who played a vital role in replacing Hindu-Buddha style to Islamic one. However, in 1902, Pattani Kingdom was successfully conquered by the government of Thailand and consequently, the kingdom becomes a South Thailand until nowadays. It has three provinces namely Yala, Narathiwat, and Pattani.⁵ From that moment on, Islam has been increasingly widespread in several regions of Thailand.

South Thailand consists of 14 provinces, namely Chumphon, Krabi, Nakhon Si Thammarat, Phang Nga, Phattalung, Phuket, Ranong, Satung, Songkhla, Surat Thani, Trang, Pattani, Yala, and Narathiwat. Most of South Thailand Moslems live in certain provinces of its area such as Pattani, Yala, Narathiwat, and Satun. Relating to this, The Royal Decree of 1902 on local government administration stated that "all of laws and the rules must be based on the King agreement".⁶

Enactment of Islamic family and inheritance law in Thailand is still limited in most of aspects because the government only acknowledges the application at its four provinces with Moslem majority popularion as stated in the Rule of The Application of Islamic Law our Provinces 1946. It mentioned that "Islamic family Law and inheritance shall be applied in the first-court in Pattani, Narathiwat, Yala, and Satun."⁷ It was due to the choice of local people not to recognize themselves as the Thai Moslems and preferred as Malay Moslems instead. Therefore, the Thailand government provided them an autonomic right in religious affairs. This led them to think about formulating Islamic family law and inheritance acts of Thailand.⁸

⁵ Bahriyatul Arif, *Pelaksanaan Syariah Islam di Thailand*, Arif Teritorial, accessed from Harian Jawa Pos, June 27 2015, at 14:31

⁶ Ibid.

⁷ Ramizah wan Muhammad, *The Dato Yuthitham and The Administration of Islamic Law in Southern Thailand. Islam, Syari'ah and Governance Background Paper Series*, 7 (2011), 6.

⁸ Waeburaheng Waehayee, *Konsep Wali Nikah Dalam Undang-Undang Hukum Keluarga Islam Thailand*

As a consequence, the law and act are not valid for Moslems in other parts of Thailand. They usually do not have any specific rules for a marriage settlement because Thailand government doesn't recognize any shariah law. In dealing with the marriage settlement, they rely on a specific *fiqh* school (*mazhab*) they use. Meanwhile, to get legal acknowledgment, they must follow the state regulation.

The marriage settlements among Moslem communities in those several provinces of South Thailand are performed by each local *Datok Imam Masjid*. They were elected through voting⁹ among members of each mosque and have an authority to hold marriage settlement among Moslem minority in Thailand as well as serve as the main guide during the process. Meanwhile, Islamic Center Committee acknowledged by the King of Thailand is the one which deals with administration matter and marriage certificate issuance. The committee is under the management of *Sheikh al-Islam* or mostly known as *Chularajmontri* in Thai language. His main duty is giving advice or direction for the King in carrying out administration relating to marriage registration, *zakat* payment, and mosque affairs.¹⁰

Interestingly, each local *Datok Imam Masjid* has different views on marriage settlement practice. The same goes on for preferred *fiqh* school in each area. This diverse view greatly influences the quality of marriage settlement in Thailand as a logic consequence of the election system. There is no specific qualification needed such as broad perspective on marriage settlement, religious competency and other skills or knowledge related to the marriage settlement.

However, the majority of Thai Moslems are *Sunnī* with Syafi'i school eventhough other schools like Hanafi and Syiah still exist. At least, this is clear from the existence of literatures and Islamic law books in Thailand's local educational institutions.¹¹

So far, the four *Imām Madzhab* as the main refereneces of *ijtihad* practice among worldwide scholars are those who lived in golden age of Islam and not in any country with Moslem minority. Thus, the

⁹ Songsiri Putongchai, *What is it like to be Muslim in Thailand?: A case study of Thailand through Muslim proffesionals perspectives*, (Disertation, S3, Exeter University, Saudi Arabia, 2013), 176. It was stated in The Islamic Organization Administrative Act of 1997 that "members of each mosque choose their own mosque committee.

¹⁰ Muhammad, *The Dato' Yuthitham*, 5.

¹¹ Waeburaheng Waehayee, *Konsep Wali Nikah*, 3.

compiled *fiqh* books mostly provide solution in any ideal social condition where Moslem become the majority, live in safe condition and are leaded by a pious Sultan with the absolute Islamic sovereignty.¹²

As a matter of fact, many problems emerge from Moslem minority ranging from law, economy, ethic, household conflict to marriage settlement because of limitation in many aspects to formally perform Islamic law. Furthermore, in the context of Thailand, the surrounding condition makes it hard to perform Islamic law because, among others, forbidden things in Islam culturally exist in Thailand such as interfaith marriage and same-sex marriage. Therefore, as a minority group, it is very urgent for them to have Islamic life guidelines based on shariah system appropriate with each condition and applies universally.¹³

Marriage, on the other hand, is one of the *Sunnah* of Prophet Muhammad SAW for all Moslems, including Moslem minority. As it aims to prevent adultery, the practice of its settlement must fulfill the principles and requirements as stipulated by Allah Swt. If there is a lack of its principles and requirements, it will cause the marriage invalid.

From this context, it is necessary to conduct a study on marriage settlement among Moslem minority of South Thailand who can not legally perform it from the perspective of Islamic law. On the basis of that, this paper aims to know the practice of marriage settlement among Moslem minority in South Thailand and analyze its Islamic law perspective.

Research Method

This research uses qualitative approach through descriptive-analytical method. In this case, researcher becomes the key instrument or the data compiler using interviews and documentation. Therefore, the researcher attendance has an important role to get the valid data and information in line with the determined research purpose. As this is a pure research, the researcher's identity is known by the subject.

¹² Ahmad Sarwat, *Fiqh Minoritas*, (t.t: DU Senter Press, 2010, 1.

¹³ Ibid., 23.

The researcher conducted this study during four months in South Thailand while doing Study Exchange. This made it possible for the researcher to get the valid data from informants directly. Meanwhile, the research location was at the plateau of South Thailand, namely Chumpon, Ranong, Surat Thani, Pang-nga, Phuket, Krabi, Nakhon Si Thammarat, Trang and Pattalung. The area was selected as it is a home of most of Thailand Moslem and the absence of formal codified shariah law found at the area.

Mostly, the primary data is obtained directly from the community while the secondary is from literature review.¹⁴ The former came from the Thailand Islamic scholars serving as *penghulu* (staffs of marriage settlement) and other local public figures like Islamic teachers and local people. Meanwhile, the secondary data was from documentation relating to marriage such as marriage law and *fiqh munākahah* books. The data is compiled through interviews and documentation. Afterward, the data analysis is by using non-statistic analysis which consists of checking and organizing.

Marriage Settlement in Minority *Fiqh* among Moslem

Minority refers to a community with different characteristics from the majority or common people in a country. The differences vary from religion, language, to other basic diversities which distinguish one and another. Meanwhile, Moslem refers to Islam adherent. Thus, Moslem minority is a group of Moslem whose number is less than non-Moslem communities in a country.¹⁵

The apostasy or conversion cases of Moslem rarely occur in any Moslem minority country. However, when a Moslem community adopts non-Islamic cultures which later influence their Islamic identity, interfaith marriages number significantly increases. It has nothing to do with the increasing number of newly converted Moslem, because it becomes the primary evident of social and cultural assimilation process instead.¹⁶

The religious difference between next couples is the primary issues among Moslem minority which possibly leads to difficulties to

¹⁴ Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 1986), 51.

¹⁵ Yusuf Qardhawi, *Fiqh Minoriti*, 5.

¹⁶ M. Ali Kettani, *Minoritas Muslim*, 15.

settle a marriage. A marriage between Moslem male and non Moslem female (*musyrik* in the Qur'anic term or idolatrous) is prohibited in the Qur'an. The term refers to an idol worshiper like Quraisy infidels who believed in non-Abrahamic religion and Majus people who worshipped the fire. Their female community members are forbidden to be married to. However, this is not valid for *Ahl Kitāb* women (Jewish and Christians) because most of the prophet companions married them. Nevertheless, some scholars disagree with this because they categorize the Jewish and Christian as idolatrous communities who worship Jessus even three Gods at once.

Marriage Settlement among Moslem Minority in South Thailand

Thai Moslem community is more diverse than Malay Moslem community in Thailand. Eventhough realizing the ethnical diversity and maintaining their own religious tradition, most of Thai Moslem speak in Thai and have assimilated with Thai Buddhist community. Additionally, Moslems in each province of Thailand have experienced the same social interaction through education, media, market, and any public institution. Furthermore, they have also practiced Thai norms and culture besides their religious practices.

The Thai Moslem community interacts with the government through religious bureaucracy led by *Chularajmontri* office, Central Islamic Committee, and Representative of Provincial Islamic Committee under the management of Department of Home affairs. Their staffs are elected by voting. Chosen through voting mechanism, these representatives arrange and manage mosques and any local educational activities. Mosques and Islamic Schools (boarding school) become the the key institutions of social interaction among Moslem community. They also become centre for activities on fasting month, *Eid al-Fitr* and *Eid al-Adha* prayers, *jumu'ah* prayer, corpse burial process, reciting Qur'an, marriage settlement, and other religious activities. A mosque committee also serves to manage *waqf* and deserves for legal acknowledgment as well as subsidy from government through Islamic bureaucracy and Department of home affairs.¹⁷

¹⁷ Malik Ibrahim, *Seputar Gerakan Islam di Thailand: Suatu Upaya Melihat Faktor Internal dan Eksternal* (Yogyakarta: Sosio Religia, 2012), 147-148.

The practice of marriage settlement in South Thailand is based on Syafi'i school as what generally occurs in Indonesia.¹⁸ However, it is handled by *Datok Imam Masjid* from the bride's home area as the staff of marriage settlement. Therefore, a Moslem should registrate themselves first to the *Datok* by submitting ID Card. Then, he will ask the background of the brides, the bridegrooms, and their families to fulfill the marriage principles. The *Datok* will issue the 'unofficial' marriage certificate legalized by Provincial Islamic Committee. Next on, the couple must register their marriage for the second time to Registry Office for getting legal acknowledgment of Thailand government.¹⁹

The registration of marriage through *Datok Imam* is far easier. The couple only needs to submit their ID cards and there is no rules on the minimum age of both bride and bridegroom as the standard is *baligh* (religiously mature). However, the Registry Office in Thailand requires them to fulfill various requirements for the marriage registration such as the minimum age (17 years old), birth certificate and family card. Additionally, a marriage certificate of Provincial Islamic Committee is also available for second, third or fourth wife. On the contrary, formal marriage certificate is only available for the first wife as the government neither acknowledge nor allow polygamy. The legal marriage certificate enables wives and children to get some facilities, such as allowance for a worker husband, social assurance, free health and education service for state school as well as requirement for job application.²⁰

After submitting the ID card, the *Datok* will ask the rest of marriage principles and requirements. The principles are in line with the common Islamic laws as stated in the Qur'an and hadith, which are the existence of next bride and bridegroom, *wali* (guardian) for the bride, two marriage witnesses, and the statement of *ijāb qabūl*. Meanwhile, the requirements are also similar with those in Indonesia, except the minimum age for both. One of them is about the Moslem status for both. Thus, if one of them is non-Moslem, he/she must

¹⁸ Zulkeflee, the head of religious field at school and *Khoteb* in Trang, direct interview, (26 July 2015)

¹⁹ Husna Kepan, the wife of *Khoteb Masjid* of Muang Trang, direct interview, (16 August 2015)

²⁰ Jar Radeng, *Ustadzah* Patthalung, direct interview, (24 September 2015)

willingfully convert to Islam first before the marriage settlement takes place.²¹

As for the guardian (*wali*), it is mainly from the family line due to the priority arrangement in Syafi'i school. However, a woman has a right to choose magistrate guardian in certain cases such as unwillingness, unreachable distance or the absence of family guardianship.²² Meanwhile, then marriage witness can be chosen by the staff of marriage settlement or from relatives of the couple. The requirements consist of; 1) psychologically healthy, 2) *bāligh* or religiously mature, 3) Moslem, 4) two men 5) having good eyesight and hearing.²³

Another main part is the *ijāb qabūl* process which must be done by the bridegroom with the guardian in the same time and place with the clear and comprehensible pronunciation.²⁴ It usually takes place either in the bride's house or the mosque. The latter is usually chosen for unapproved marriage, polygamy, or a simple wedding ceremony.²⁵

One thing mentioned in *ijāb qabūl* is the dowry. The bridegroom needs to give it to the bride before *ijab qabul* takes place. In addition to determine the dowry, it needs to calculate the dowry very carefully to avoid any error in mentioning it at the *ijāb qabūl* process as it is the absolute right of a married woman.²⁶ Generally, it is the bride or her family who determine the number or type dowry, although a few cases show that it depends on the bridegroom's consideration.²⁷

In general, the Moslem marriage settlement found in South Thailand looks similar with the practice in other areas. The difference

²¹ Suwanee Makman, the child of Datok Imam Masjid of Muang Krabi, direct interview, (24 September 2015)

²² Zulkeflee, the head of religious field at school and Khoteb in Trang, direct interview, (26 July 2015)

²³ Ibid.

²⁴ Ibid.

²⁵ Suwanee Makman, the child of Datok Imam Masjid of Muang Krabi, direct interview, (24 September 2015)

²⁶ Husna Kepan, the wife of Khoteb Masjid of Mung Trang, direct interview, (16 August 2015).

²⁷ Suwanee Makman, the child of Datok Imam Masjid of Muang Krabi, direct interview, (24 September 2015)

lies in the marriage requirement as the more detailed explanation as follow:

First, there is no minimum age for the brides and the bridegrooms as the standard is *bāligh*. Islam suggested any mature and responsible person to get married. In any Moslem minority country, the early marriage is even recommended to prevent any negative things such as promiscuity and moral decadence as the consequence of assimilation.

Second, women can choose magistrate guardian (*wali hakim*) easily without considering the existence of *wali nasab* (family lineage guardian). This makes them easy to hold a marriage settlement as they wish to do. *Third*, there is no specific requirement for two marriage witnesses as the consequence of very minimum number of surrounding Moslem men. Therefore, the witness can be either just or wicked person. *Fourth*, there found two-time marriage administration at Representative of Provincial Islamic Committee through *Datok Imam Masjid* and *Registry Office*. The former is for religious legality while the later is for state acknowledgement to assure the right as Thai citizens.

Apart those differences, it is interesting to find that many unregistered marriages exist in South Thailand because the local people consider marriage certificates unimportant. Additionally, South Thailand marriage settlement are relatively simple yet much money consuming for dowry and souvenirs given to the brides.

In the case of polygamy, the Thai government neither acknowledges nor allows the practice and consequently, it is only the first wife who gets the legal right and access. However, many Moslems build polygamy families as the absence of related specific rule. Moreover, some of them believe that Moslem in any minority country should choose it for *syar'ī* reason, such as the higher number of women than those of men, preventing interfaith marriage, moral decadency and others.

On the basis of this perspective, a Moslem husband is required to either ask permission from his first wife or let her know about the polygamy whether or not he gets the approval. Polygamy is considered legal as long as the woman (as the next wife) certainly knows that the man she will get married to is a married man. Most of

the wives in South Thailand are the workers or breadwinners and this makes it easier for any husbands who will do polygamy.

On the contrary to polygamy, the Thailand government allows interfaith marriage. Therefore, a Moslem who will get married to non-Moslem, either Buddhist or others, needs to hold the marriage settlement in the City Hall because *Datok* do not allow interfaith marriage for Moslem although at the same time, he can't avoid anyone from doing it.²⁸ However, it is only a few Moslem who do interfaith marriage in addition to the fact that the number of interfaith marriage cases in South Thailand is less than the number of those in North Thailand.²⁹

The blurred stand of *Datok* in relation with interfaith marriage leads to the conversion to Islam. Unfortunately, a marriage settlement with a newly converted Moslem is not followed or preceded by any specific Islamic training to create a true Moslem. Thus, any newly convert finds it hard to adapt with Islam and this potentially leads into back conversion. In fact, it is forbidden for Moslems to get married with the apostates (*murtad*). In this condition, *Datok* or other religious leader can not separate the married couple even though one of them has been already apostate.

Conclusion

Most of marriage settlement practices in South Thailand follow Syafi'i school and are handled by *Datok Imam Masjid* as the local staff of religious affairs under Provincial Islamic Committee which issue "unofficial" marriage certificate. Therefore, the marriage settlement must be registered again to Registry Office for getting an official marriage certificate because shariah law is not acknowledged in South Thailand. The requirements of marriage settlement in South Thailand consist of; a) The *bāligh* (mature) status of both brides and bridegrooms without any minimum age. b) Conversion to Islam if one of them is a non-Moslem. c) A magistrate guardian (*hākim*) can play a role in the absence or unwillingness of any family lineage guardian

²⁸ Zulkeflee, the head of religious field at school and Khoteb in Trang, direct interview, (26 July 2015)

²⁹ Jar Radeng, Ustadzah Patthalung, direct interview, (24 September 2015)

(*walī*). d) Calculation of dowry before *ijāb qabūl* takes place and as determined by the brides at minimum 100.000 baht (Rp. 40.500.000)

Polygamy can be 'unofficially' valid without the first wife agreement and without emergency reasons. Additionally, most of newly converted Moslems who get married to Moslems can not adapt with Islamic teaching which cause them a back conversion. Thus, their marriage relationship fates depend on the spouses themselves or their families' decision because even Islamic scholars have nothing to do to set them apart, while interfaith marriage is legally allowed in Thailand.

Bibliography

- Abidin, Slamet and Aminuddin. *Fiqh Munakahat 1*. Bandung, CV Pustaka Setia, 1999.
- Al-Asqalani, Al-Hafidz Ibnu Hajar. *Bulughul Maram: Hadits Hukum-hukum Syari'at Islam*. Surabaya: Bintang Usaha Jaya. 2011.
- Al-Qaradhawi, Yusuf. *Fiqh Minoriti*, transl. Muhammad Hanif Hasan. Kuala Lumpur: S.H. Noordeen, 2002.
- Al-Nawawi, Imam Muhyiddin. *Syarah Shahih Muslim*. Beirut-Libanon: Darul Ma'rifah, 2007.
- Anshori, Abdul Ghofur. *Hukum Perkawinan Islam: Perspektif Fikih dan Hukum Positif*. Yogyakarta: UII Press, 2011.
- Arikunto, Suharsimi. *Prosedur Penelitian: Suatu Pendekatan Praktik*. Jakarta: Rineka Cipta, 2006.
- A, Rozak. *Pengkajian Hukum tentang Perkawinan Beda Agama*. Jakarta: BPHN. 2011.
- Az-Zuhaili, Wahbah. *Fiqh Islam Wa Adillatuhu*. trj. Abdul Hayyie al-Kettani, dkk. Jakarta: Gema Insani. 2011.
- Basri, Cik Hasan. *Peradilan Agama*. Jakarta: Raja Grafindo Persada, 1998.
- , *Pilar-pilar Penelitian Hukum Islam dan Pranata Sosial*. Jakarta: PT. Raja Grafindo Persada, 2004.
- Buna'i. *Metodologi Penelitian Pendidikan*. Pamekasan: STAIN Pamekasan Press. 2006.
- Hasan, M. Ali. *Pedoman Hidup Berumah Tangga dalam Islam*. Jakarta: Siraja Prenada Media Group, 2006.

- Ibrahim, Malik. *Seputar Gerakan Islam di Thailand Suatu Upaya Melihat Faktor Internal dan Eksternal*. Yogyakarta: Sosio Religia, 2012.
- Kasiram, Moh. *Metodologi Penelitian Kualitatif-Kuantitatif*. Malang: UIN-Maliki Press, 2008.
- Kettani, M. Ali. *Minoritas Muslim di Dunia Dewasa Ini*, transl. Zarkowi Soejoeti. Jakarta: Pt. Raja GrafindoPersada, 2005.
- Kompilasi Hukum Islam*. Bandung: NuansaAulia. 2012.
- Koto, Alaidin. *Filsafat Hukum Islam*. Jakarta: Rajawali Press, 2013.
- Mawardi, Ahmad Imam. *Fiqh Aqalliyat: Pergeseran Makna Fiqh dan Ushul Fiqh*. Surabaya: Asy-Syir'ah, 2014.
- Moleong, Lexy J. *Metodologi Penelitian Kualitatif*. Bandung: PT. Remaja Rosdakarya, 2005.
- Mudjib, Abdul. *Kaidah-Kaidah Ilmu Fiqh*. Jakarta: Kalam Mulia. 2001.
- Muhammad, Ramizah Wan. *The Dato' Yuthitham and The Administration of Islamic Law in Southern Thailand*. Southern Thailand: ARC FederationFellowship, 2011.
- Musawwamah, Siti. *Hukum Perkawinan I*. Pamekasan, STAIN Pamekasan Press. 2009.
- Putongchai, Songsiri. *What is it like to be Muslim in Thailand?: A Case Study of Thailand through Muslim professionals' perspectives*. Disertasi. S3. Universitas Exeter. Arab. 2013
- Saebani, Beni Ahmad. *Fiqh Munakahat 1*. Bandung: CV. Pustaka Setia, 2009.
- Sarwat, Ahmad. *Fiqh Minoritas*. t.t.:DU Senter Press, 2010.
- Sitanggal, Anshory Umar. *Fiqh Syafi'i Sistimatis*. Semarang: CV, Ash Syifa', 1993.
- Shomad, Abd. *Hukum Islam: Penormaan Prinsip Syariah Dalam Hukum Indonesia*. Jakarta: Kencana, 2010.
- Soekanto, Soerjono. *Pengantar Penelitian Hukum*. Jakarta: UI Press, 1986.
- Suaedy, Achmad. et al. *Islam dan Kaum Minoritas*. Jakarta: The Wahid Institute. 2012.
- Sueb, Sudono. *Buku Pintar Agama Islam*. Delta Media, 2011.
- Sukardi, *Metodologi Penelitian Pendidikan*. Jakarta: PT Bumi Aksara 2003.
- Sunarto, Ahmad. *Di Balik Sejarah Poligami Rasulullah*. Surabaya: Ampel Mulia. 2014.

- Supriyadi , Dedi. dan Mustofa. *Perbandingan Hukum Perkawinan Islam Di Dunia Islam*. Bandung: Pustaka Al-Fikriis, 2009.
- Syarifuddin, Amir. *Hukum Perkawinan Islam di Indonesia antara Fiqih Munakahat dan UU Perkawinan*. Jakarta: Kencana.2009.
- The Civil and Commercial Code, Book V: Family.
- Supraptiningsih, Umi;Ferdiant, Ahmad Ghufuran, Erie; Hariyanto, Eka; Susylawati, and Arif Wahyudi. “*Empowering Pamekasan to Become a Child-Friendly Regency through Interpersonal Communication.*” Atlantis Press, 2018. <https://doi.org/10.2991/iccsr-18.2018.36>.
- ‘Uaidah, Syaikh Kamil Muhammad. *Fiqh Wanita*. Jakarta: Al-Kautsar, 2008.
- Warits, Abd. dan Abd Wahed. “Praktek Poligami Di Bawah Tangan di Desa Laden Kabupaten Pamekasan”. *Al-Ihkam*. Vol. 9. No. 2. Desember, 2014.
- Waehayee, Waeburaheng. “*Konsep Wali Nikah dalam Undang-Undang Hukum Keluarga Islam Thailand*”. Skripsi. Universitas Islam Negeri Sunan Kalijaga Yogyakarta, Yogyakarta, 2008.